

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Brian Craig Lee

Confirmation No.: 5750

Application No.: 09/920207

Examiner: M. Carter

Filing Date: Aug 01, 2001

Group Art Unit: 3722

Title: Magnetic Printing Media For Inkjet And Laserjet

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JAN 3 0 2003

OFFICE OF PETITIONS

Office of Petitions
Assistant Commissioner For Patents
BOX DAC
Washington, D.C. 20231

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Sir:

1. This application became abandoned on Oct. 17, 2002.
2. This application became abandoned because the failure to prosecute was an unintentional delay.
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.
3. Response or action required:
☐ has been filed on _____.
☒ is enclosed herewith.
☐ the response is the filing of a Continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.
4. Terminal disclaimer 37 CFR 1.137 (c):
☐ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer and disclaimer fee of \$110.00 disclaiming a period of equivalent to the period of abandonment is enclosed herewith.

Charge \$ 1300.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231. Date of Deposit: 1/22/03

() I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____

Number of pages:

Typed Name: W. Bradley Haymond

Signature: W. Bradley Haymond

Respectfully submitted,

Brian Craig Lee

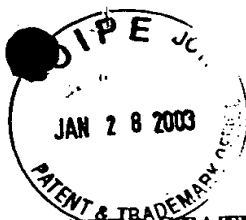
By W. Bradley Haymond
W. Bradley Haymond

Attorney/Agent for Applicant(s)

Reg. No.: 35,186

Date: 1/22/03

Telephone: (541) 715-0159

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Brian C. Lee

Serial No.: 09/920,207

5 Filing Date: August 1, 2001

Title: Magnetic Printing Media for Inkjet and Laserjet

Examiner: M. Carter

Group Art Unit: 3722

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OFFICE OF PETITIONS

10 **ASSISTANT COMMISSIONER FOR PATENTS**
WASHINGTON, DC 20231**STATEMENT OF FACTS IN SUPPORT OF REVIVING AN APPLICATION
THAT WAS UNINTENTIONALLY ABANDONED (37 C.F.R. § 1.137(b))**

15 Dear Sir:

This statement is made as to the fact that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

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I, W. Bradley Haymond, am a senior attorney in the HP Legal Department and have been responsible for the present application since before its filing on August 1, 2001.

On July 17, 2002, an Office Action in the above-referenced application was sent by the U.S. Patent Office to the general receiving office of the HP Legal Department from where it was directed to the HP Legal Department in Corvallis Oregon, where I work. On receiving the Office Action in the Corvallis office, an administrative assistant entered the Office Action into our docketing system. When an Office Action from the Patent Office is docketed correctly, the docketing system automatically generates the due date for responding to the Office Action onto the responsible attorney's Docket. In turn, the Docket is used to remind the responsible attorney and any other responsible party of the due date for the response. In this application, the Office Action of July 17, 2002 was not docketed correctly. Rather than being docketed as an unfinished item which needed a Response by the Due Date of October 17, 2002, it was mistakenly docketed as a finished item which needed no response. As a result, the Office Action was unintentionally left off of my Docket and no response was filed. Furthermore, because of this mistake, there was nothing to bring to my attention that the response needed to be filed until it was brought to my attention January

21, 2003 by a phone call from the Examiner. I therefore did not intend to let this application go abandoned.

5 The failure to file the response to the Office Action by its original due date of October 17, 2002 or its extended due date of January 17, 2003 was unintentional. Furthermore, the Abandonment of the above-referenced application by such failure to file a response to the Office Action was also unintentional.

10 All relevant facts and documents necessary have been given here to support the conclusion that the failure to file a response to the Office Action and the resultant failure to prevent the application's abandonment were unintentional.

Respectfully Submitted,

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